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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,739	12/06/2001	Mark Graham Lawrie	60130-1293/00MRA0037	2650

26096 7590 03/03/2004

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BIRMINGHAM, MI 48009

EXAMINER

GREEN, CHRISTY MARIE

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/010,739

Applicant(s)

LAWRIE ET AL.

Examiner

Christy M Green

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This is a second office action for serial number 10/0107739, entitled Assembly, filed on December 6, 2001.

#### *Response to Amendment*

In response to the examiner's office action dated September 21, 2003, the applicant has cancelled claim 18 and amended claims 1, 3, 4 and 16.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 12, 15-17 and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Podolan, US patent # 3,702,041.

Podolan discloses the claimed invention an assembly comprising a door panel (20, 24, 32, 40), a window regulator housing component (44, 52), window regulator drive system component (28), **wherein** the panel **is** secured to the window regulator housing component (44, 52) by a deformed portion (46); the door panel (20, 24, 32, 40) includes a feature (at 46) which ensures alignment between the panel and the window regulator housing component (44, 52); the deformed portion (46) is formed from a pre-deformed portion, the deformed portion co-operating with an associated region of the panel (32); at least one of the door panel (20, 24, 32, 40), the window regulator housing component (28) and the window regulator drive system component (44, 52) **has** a hole

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(at 50 and see attached figure 3); the feature (46) ensures alignment between the subassembly and the window regulator drive system component (28); the drive system component includes a second hole with a second hole diameter, and the regulator drive system component includes a third hole with a third diameter (at 50 and see attached figure 3); the second hole diameter is greater than the third hole diameter (figure 3); the regulator housing component (44, 52) includes a recess (see attached figure 3) and the recess includes a deformed portion (46); the door panel (20, 24, 32, 40) lies in a substantially vertical plane (figure 4); the feature (46) has horizontal extent (figure 3); the regulator housing component (44, 52) is part of a window regulator drive system mechanism (28); the deformed portion (46) forms a seal between the door panel (40, 32) and the window regulator housing component (44, 52); the deformed portion (46) is non-circular in cross-section (figure 3); the window regulator housing component (44, 52) and the drive system component (28) relative to another of the panel and the regulator housing component and the drive system component (column 2, lines 20-26); and, at least one further deformed portion (46) at a spaced location from the deformed portion (46 – figure 4) in which the panel is further secured to the regulator housing component (28) by the at least further deformed portion (46).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Podolan.

Podolan discloses the claimed invention as stated above in claim 1, except for the third component hole diameter is greater than the second hole diameter; the second hole is equal to the third hole diameter; at least one of the second hole and the third hole is a threaded hole; the fourth component is one of a self tapping screw, a bolt , and a nut and a bolt; at least one of the panel, regulator housing component and the regulator drive system component is a plastic component and is integral with the deformed portion.

In regards to the third component hole diameter is greater than the second hole diameter and, the second hole is equal to the third hole diameter, it would have been an obvious matter of design choice to change the dimensions of the holes, since applicant has not disclosed that these different diameters of holes solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the holes and their diameters as it is already disclosed within the cited reference and within the attached figure 3. Also, it does not seem possible for the second hole diameter to be greater than the third hole diameter and equal to third hole diameter at the same time.

In regards to at least one of the second hole and the third hole is a threaded hole and the fourth component is one of a self tapping screw, a bolt, and a nut and a bolt. Although Podolan does not disclose a threaded hole or a self tapping screw, bolt or nut, Podolan teaches a spindle (56 and 58) are presented through the hole. It would have

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been obvious to one having ordinary skill in the art at the time the invention was made to provide a hole (second or third) of Podolan to be threaded along with a threaded bolt/spindle in order to ensure a tight fit or more accurate rotatable movement of the mechanism while in use.

In regards to at least one of the panel, regulator housing component and the regulator drive system component is a plastic component and is integral with the deformed portion, although the materials of the components are not stated to be plastic within Podolan, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the regulator housing component (44, 52) to be plastic and integral with the deformed portion (46), since it is known in the art that sappers can be made of plastic type materials and Podolan teaches a flexible tape-like drive member (84) used and supported on the door (20) by a plurality of brackets (column 3, lines 13-15), the examiner interprets that the materials of the components to be a resilient/flexible type of material which could be a plastic type material.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-17 and 19-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christy M Green whose telephone number is 703-308-9693. The examiner can normally be reached on M-F 8:00-4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 703-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

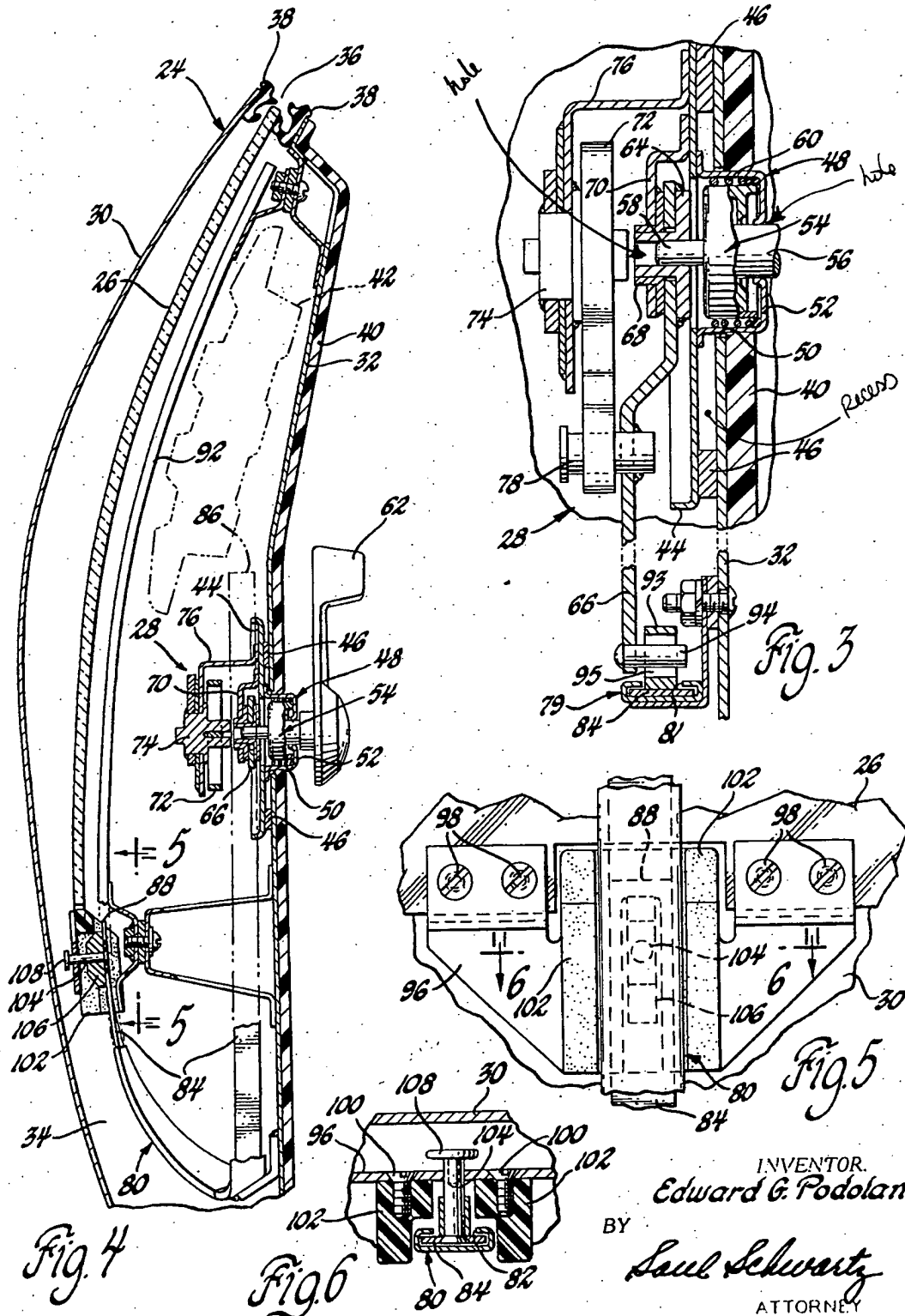
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



February 25, 2004



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